Filed 1/23/19 In re Aurora L. CA4/3

NOT TO BE PUBLISHED IN OFFICIAL REPORTS

IN THE COURT OF APPEAL OF THE STATE OF CALIFORNIA

FOURTH APPELLATE DISTRICT

DIVISION THREE

In re AURORA L., a Person Coming Under the Juvenile Court Law.	
ORANGE COUNTY SOCIAL SERVICES AGENCY, Plaintiff and Respondent, v. ANDREW L., Defendant and Appellant.	G056591 (Super. Ct. No. 17DP1107) O P I N I O N

Appeal from an order of the Superior Court of Orange County, Dennis J. Keough, Judge. Affirmed.

Nicole Williams, under appointment by the Court of Appeal, for Defendant and Appellant.

Leon J. Page, County Counsel, Karen L. Christensen and Aurelio Torre, Deputy County Counsel, for Plaintiff and Respondent.

No appearance for the Minor.

I. INTRODUCTION

Aurora L., born in early October 2017, tested positive for both methamphetamine and morphine. During the initial six-month reunification period, her father, Andrew L. missed 51 of 51 random drug tests and relapsed into heroin use. Then he became homeless. Even so, the juvenile dependency court did *not* terminate reunification services, but ordered the existing reunification plan continued for another six months, optimistically projecting Andrew's reunification with Aurora by November 2018. In the process, the court made a formal finding that Andrew had been offered reasonable reunification services. Despite the absence of any immediate adverse consequences flowing from the finding at the six-month review that reasonable services had been offered, Andrew now appeals the order.

We affirm the juvenile court's finding. In evaluating the implementation of reunification services, courts should consider degrees of relative fault between social service agencies and parents in the dependency system. Social workers have an obligation to offer services to parents in the dependency system and to take reasonable steps to connect those services to the parents. But parents in the dependency system have obligations too. They must make themselves available to social workers so the social workers can connect them to services. Parents must also stay in touch with service providers, and avail themselves of those services; you gotta show up.

But Andrew literally didn't "show up" on numerous occasions. Nor did he keep social workers and service providers appraised of his shifting cell phone numbers. And even when they had the right number, he would not return calls. We thus affirm the order.

II. FACTS

Aurora was born in early October 2017 with illegal drugs in her system (methamphetamine and morphine). At the time, her mother, Lindsey L., and her father Andrew lived under the same roof in Costa Mesa, provided by Lindsey's father.

Aurora was removed from Lindsey's custody. On October 12, 2017 (under emergency orders made by the juvenile court), Aurora was placed with Andrew, but that placement was subject to protective orders. Specifically Andrew was required to participate in substance abuse testing.

But Aurora was in Andrew's care for only eight days. He was overwhelmed and did not follow proper feeding instructions. Aurora had to be hospitalized because of weight loss. By the end of the month Aurora had been placed with maternal relatives, and social workers had filed a petition to establish dependency jurisdiction based on Andrew's failure to protect Aurora. (See Welf. & Inst. Code, § 300, subd. (b).) She would remain placed with maternal relatives as far as our record extends.

Meanwhile, on October 17, 2017 (a few days prior to Aurora's removal), senior social worker Joanna Williams reiterated to Andrew the need to participate in random drug testing. Williams gave Andrew the phone number and location of test sites. On October 20, another social worker gave Andrew a bus pass for Orange County.

On October 25, 2017, Williams and another social worker, Pedro Renteria, met personally with Andrew in the driveway of Lindsey's father's house in Costa Mesa. Andrew told the social workers he had visited an in-patient substance abuse program that day. When Williams asked Andrew how he would like to proceed, he told the social workers he could not care for Aurora and he said he would like to enter an in-patient substance abuse program. The two social workers told Andrew that a detention hearing was coming up on October 30, and Andrew told them he would be there. Andrew was given Williams' phone number.

Andrew was present for the October 30, 2017 hearing, in which the court made a temporary detention order, and set a formal detention and jurisdictional hearing for November 21, 2017.

About a week later, on November 9, Andrew and Williams had an extensive meeting at her office. Williams explained that Andrew's reunification plan

would be based on the issues that brought Aurora into custody in the first place, and stressed to Andrew the importance of his participation in the plan. To that end, Williams gave Andrew the names, addresses, and telephone numbers of various substance abuse treatment programs in the county. Andrew told Williams that he was "considering" enrolling in a particular program known as New Directions, where Lindsey was enrolled.

Williams told Andrew he had been approved to participate in drug patch testing (as distinct from random testing[1]), and gave Andrew the phone numbers and locations where he could have the patch applied. She also gave him a list of 12-step groups in the county, a list of parenting classes and locations, and some information (the record is not specific) on counseling services. Both the parenting classes and the counseling services information included the Family Resource Center.

Andrew was present at the November 21 jurisdictional hearing. He submitted on the petition, and a case plan was approved.[2] The reunification plan included a visitation schedule. Andrew was given seven hours weekly visitation, to be monitored by social workers *or* individuals approved by the Social Services Agency (SSA). And Andrew was to meet in person with a social worker monthly.

In mid-December 2017, Priscilla Morfin became Andrew's assigned social worker. Morfin would be the social worker primarily responsible on Andrew's case until sometime in July 2018.

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[1] Apparently drug patch testing is considered easier on testees, perhaps because it involves less need to travel. Williams explained Andrew was only approved for three months of patch testing.

[2] The plan was comprehensive. It required Andrew to (1) refrain from alcohol and comply with all drug testing; (2) maintain a stable residence; (3) have a legal source of income; (4) keep his assigned social worker informed of his address, phone number and any arrests; (5) attend at all of Aurora's medical appointments; (6) participate in some sort of therapy to address his substance abuse problem; (7) complete an age-appropriate parenting class; (8) complete a drug treatment program that included drug testing: and (9) complete a 12-step program through Narcotics Anonymous with proof of attendance. Rather optimistically (in retrospect) the anticipated completion date for these items was six months away, May 22, 2018.

Morfin called Andrew on December 12, 2017, to review his case plan with him. She left a message. He did not get back to her until January 6, 2018. When he did, he said he no longer had a telephone, but could be reached by a phone call to Lindsey.

During January, Andrew missed at least three consecutive visits with Aurora at the SSA office. Andrew's pattern was to confirm a visit and then simply not show up.

It was not surprising, then, that on January 24, 2018, one of the caretakers called Morfin to tell her that since Andrew was not willing to communicate about visits, she was no longer willing to monitor them. She was, however, still willing to undertake the task of transporting Aurora to the SSA office for the visits to be monitored by a social worker.

That same day, January 24, Morfin called Andrew at Lindsey's phone number. He sounded to Morfin as if he were under the influence of something – "slow and slurred and mumbled." Nevertheless Morfin managed to arrange a face-to-face meeting at an SSA office for January 31. The January 31 meeting, however, was an in-person version of the earlier phone conversation. Andrew's speech was again "slow and mumbled," he appeared to be "sleepy," and Morfin drew the conclusion he was under the influence of a drug.

Despite Andrew's obvious intoxication, Morfin managed to accomplish a few things at the January 31 meeting. She got him to sign a counseling referral for a therapist named Kaufman. She also referred him to a group called Associates in Counseling (ACM), which provides parenting classes. Morfin further referred Andrew to the health care agency in Santa Ana for substance abuse treatment. As for 12-step meetings, Andrew said he was already attending meetings along with Lindsey; he just had not been keeping any record on his attendance card.

Andrew complained to Morfin that the maternal relatives with whom Aurora had been placed "did not treat him like family." Morfin asked for a schedule

from Andrew in regards to visitation, but Andrew didn't give a straight answer. He said he was unemployed, then later changed his story to saying he was "about to start a job with general relief" and would contact Morfin later with his schedule.

Andrew never got back to Morfin with the promised schedule. And, on February 9, Morfin learned the SSA's "Prevention Center" (apparently an office set up where social workers were available to monitor visits) had been unable to reach Andrew to schedule monitored visits. Morfin gave a Prevention Center employee Andrew's new phone number.

On February 28, Morfin called Andrew for a status review. Andrew said he had not received any calls in regard to counseling, parenting or visitation. He said he called the health care agency to schedule an in-take appointment but hadn't received any return calls. Morfin told him to keep calling the agency until he got enrolled. Andrew volunteered he was attending 12-step meetings with Lindsey, but did not have a sponsor yet. He did not have a card to prove his attendance.

On March 19, Andrew called Morfin asking about the status of his counseling referral. He told her his mother had recently passed away and he needed counseling.

As it turned out, the counseling approval was not internally approved by SSA until March 28, 2018. When it was, it was for a therapist named Kaufman. In the first half of April, Kaufman tried three separate times to facilitate counseling with Andrew. Each try was a failure. In one case Andrew *did* schedule a session, but then called and canceled. Two more sessions were scheduled by Kaufman, but Andrew was never heard from again.

On March 30, Morfin met with Andrew at the SSA office. Andrew said he'd had a "slow start" on his reunification plan and wanted six more months of reunification services. He also confided that he had relapsed into heroin usage.

In mid-April, Morfin learned that Andrew would be attending his first session with the Health Care Agency on April 23. But she also learned that he was still on a waiting list for monitored visitation at the Prevention Center. When Morfin inquired of the Prevention Center about the delay, the best anyone could say was "'within a month.'"

Morfin met with Andrew face-to-face on April 24. She reviewed the case plan with him, and Andrew alluded to a "scheduling conflict" with therapist Kaufman: The therapist wanted to meet on Wednesdays at 6 p.m., but that conflicted with the time Andrew was picking up Lindsey from her visits. And while Kaufman was willing to meet with Andrew as late as 8 p.m., that would not be possible given the bus schedule. Morfin then had Andrew sign a formal referral to "FACES" (Family Assessment Counseling and Education Services) as an alternative venue for counseling.

During their meeting, Andrew also complained that nobody had called him in regard to parenting classes. Morfin responded by calling someone from ACM then and there and left a phone message about the need for parenting classes. On the positive side, during the same meeting, Andrew said he was about to begin his "first session" in regard to the health care drug treatment agency on April 30. He also told Morfin he "wished to begin patch testing."

Things did not go smoothly. The day after the April 24 meeting, Morfin received a phone call from a person at ACM saying that she could not get hold of Andrew and had left a phone message with the mother requesting he contact the person in regards to a parenting course. Morfin spoke with Andrew on May 1, in regard to a new visitation referral. Morfin submitted a new referral (the record is not clear to whom) in which Morfin requested 60 hours of make-up visits.

But just like the attempt to connect Andrew with a parenting class, the visitation reboot did not come off. Some time in the first few days of May, a visitation social worker, Albert Nevarez, tried to contact Andrew in regard to visitation, but could

not. And on May 8, Andrew called Morfin to complain that nobody had called him in regard to visitation. The next day social worker Nevarez sent Morfin an e-mail to the effect Nevarez still couldn't reach Andrew. Morfin sent Nevarez Andrew's new phone number and then (apparently that day) managed to contact Andrew to set up a meeting at the SSA office for the next day, May 10.

But Andrew canceled that visit, saying he had a dentist appointment that he had overlooked. Nevarez told Andrew his visits would resume the next week, beginning May 17, 2018. Apparently Andrew was able to make it in for a visit a little earlier, on May 15. There were more visits on May 17 and May 22.

Also in May, yet another logistical delay arose regarding visitation. Apparently the county was discontinuing the "Prevention Center" and going with another entity, the "New Alternatives Agency" for such visitation.

About the same time as Andrew was resuming visitation, a new problem arose. On May 14, Morfin learned Andrew had just been thrown out (his phrase[3]) of his residence with Lindsey's father. Morfin tried to call Andrew back that day, but the phone went straight to voice mail.

Andrew showed up at the SSA office the next day, May 15, requesting a bus pass; the day officer gave him one. Morfin tried to telephone Andrew the next day May 16, and requested a return call. Five days went by. On May 21 Morfin tried again, inquiring as to whether he needed assistance with in-patient or shelter resources. She specifically wanted Andrew to return the call or come into the office to seek shelter referrals. Again the call went straight to voice mail.

Meanwhile, it appears there had been about a month's bureaucratic delay (roughly mid-April to mid-May) in arranging a successor for therapist Kaufman. The

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[3] Morfin learned of the ejectment on May 14. Her report recounts this phone message: "Hi Priscella, this is Andrew L[]. Lyndsy's family just physically assaulted me and threw me out of the house so now I have no home, no rides to do anything or go anywhere. No means to fucken do anything you know. They literally just came in there with a bunch of guys and beat me up and just threw me out the door."

apparent reason was that SSA's "Resource Support" office[4] initially balked at a successor, sending Morfin an e-mail stating that Andrew still had an "active referral" with therapist Kaufamn and a client cannot have two active referrals. Morfin sent a message back to the effect that Kaufman was no longer willing to meet with Andrew. Resource Support then okayed a referral to FACES.

A new social worker, Camille Delgadillo, met both Andrew and Lindsey when they showed up on May 31 unannounced at the SSA office in Orange to visit the child. But Morfin still had some duties left on the case. She inquired of the day officer at the health care agency about whether Andrew had enrolled, but hadn't gotten a return call as of June 11.

That day Morfin left a message on Andrew's phone saying his request for a drug patch referral had been approved. Morfin also called the ACM group about the status of Andrew's parenting course. The employee there said that she would telephone Andrew to start a course the next day, June 12. However, on June 19, Mofrin spoke with the same person at ACM. The employee said that she had made "numerous attempts" to phone Andrew at his new phone number and been unsuccessful. The number either rang continuously with no option to leave a voice message, or there was a constant busy signal. In the meantime, on June 12, Morfin learned that Andrew had yet to enroll in the health care agency program. As for visitation, it appears sometime after June 19 Andrew was dropped for three no-shows.

On June 20, Morfin and the new social worker, Delgadillo, met with both parents. It did not go well. Andrew kept interrupting Morfin as she tried to discuss Lindsey's case plan, and it appeared Andrew was again under the influence of drugs. When Morfin pointed out that various service providers could not reach him at his last phone number, he reported a new phone number and said that because he was homeless

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[4] Our inference is that Resource Support has to approve the expenditure of county money.

he was not always able to recharge his telephone. As to the parenting course in particular, Morfin said the course had been trying to contact him and finally had dropped the referral. Andrew signed a new referral.

In that June 20 conversation Andrew placed the blame on the "maternal family" for his homelessness and not being able to participate in an "outpatient program." He declared he was "'pretty fucking furious'" about being "'on the streets'" and not having "'heard from anybody.'" He was, as Morfin's report put it, "cursing about his situation."

On the judicial front, the May 22 six-month review was continued to mid-June, then later to July 18. Andrew did not show up for the July 18 hearing, and his counsel did not call any witnesses or examine any social worker. Andrew's counsel simply argued that that SSA had not provided "reasonable services," stressing the lack of visitation because of the wait list involving monitored visitation. He also noted the March 28 date of the approval for the therapist referral and a delay from January 31 to April 13 in regard to the Health Care Agency referral. Aurora's counsel rejoined that "SSA is not required to form a posse and go out and search for people who do not have consistent addresses or phone numbers and track them down[.]"

The court found that "given the totality of circumstances" reasonable services had been provided. And despite Andrew's total failure to do any drug testing or show proof of any attendance at a 12-step meeting, the court found a "probability" Aurora would be returned to him and Lindsey within six months. The court then set a 12-month review for November 27. Andrew appealed from the order finding reasonable services had been provided.

III. DISCUSSION

A. *Mootness*

At the 12-month review held December 13, 2018, the trial court terminated all reunification services for Andrew. In the wake of that order, SSA filed motions in this

court to vacate submission, take judicial notice of the December 13 order, and dismiss the appeal as moot.

While we do take judicial notice of the December 13 order, we deny SSA's motions to vacate and then dismiss. The reason is the spill-over effect of an erroneous finding at the six-month review that reasonable services had been offered. To be sure, no immediate consequences to Andrew flowed from the six-month review. But we cannot say for certain that the subsequent termination of reunification services at the 12-month review was not part of the fallout from the finding that reasonable services had been offered made six months earlier. (See *T.J. v. Superior Court* (2018) 21 Cal.App.5th 1229, 1256 (*T.J.*)]; *In re T.G.* (2010) 188 Cal.App.4th 687, 696 (*T.G.*); and *In re Daniel G.* (1994) 25 Cal.App.4th 1205, 1215-1216.) In particular, in any future evaluation of Andrew's parental rights, he could argue that because of an erroneous finding concerning reasonable services at the six-month review, he was not afforded all the time to reunify he was otherwise entitled to. (See *In re A.G.* (2017) 12 Cal.App.5th 994, 1005 [remedy for erroneous finding of sufficiency of reunification services is to afford parent "an additional period of reunification services'].) The case is thus not moot, since our decision today will have real world consequences for Andrew's parental rights in the future.

B. *The Merits*

We first distinguish two different kinds of cases bearing on the adequacy of reunification services. On the one hand, there are cases in which there was a clear deficiency in the reunification plan itself. For example, in this court's opinion in *In re Brittany S.* (1993) 17 Cal.App.4th 1399, the service plan simply did not provide for visitation for an incarcerated parent, even though the child was less than 40 miles away from where the parent was incarcerated. (See *id.* at p. 1407 [rejecting sufficiency of plan itself].) Likewise, in *In re Monica C.* (1995) 31 Cal.App.4th 296, not only was the plan insufficient in failing to provide for any visitation for an incarcerated parent (*id*. at p.

307), but also in delegating to the parent herself the responsibility for sending the social worker a list of services available to the parent in prison. (*Id.* at pp. 307-308 ["By requiring appellant to perform this preliminary task, the DSS evaded its statutory obligation to provide reunification services."]; see *Tracy J. v. Superior Court* (2012) 202 Cal.App.4th 1415, 1426 [plan unreasonably limited visitation].)

But this is not a "plan" case. Andrew's reunification plan was a comprehensive attempt to deal with the two major reasons for Aurora's removal – parental illegal drug dependency and Andrew's inability to deal, for about eight days, with an infant in his care. Rather, this case, like *T.J.* and *T.G.*, is an "implementation" case. That is, the plan itself was sound, but its implementation involved some deficiency. (See *In re Precious J.* (1996) 42 Cal.App.4th 1463, 1477 [plan properly provided for visitation services for incarcerated parent but social workers failed to arrange even a single meeting].)

Implementation cases fall along a continuum. On the one end of the continuum, the preponderance of the evidence shows the parent was the cause of some substantial deficiency in the implementation of the plan. (E.g., *T.G.*, *supra*, 188 Cal.App.4th 687.) On the other end, the evidence shows the majority of the faults were those of the social workers assigned to the case. (E.g. *T.J.*, *supra*, 21 Cal.App.5th 1229.) The parameters of the continuum are well illustrated by two good examples of extremes on each side, *T.J.* and *T.G.*

T.J. centered on the intellectually-disabled mother of three boys. The dependency was precipitated because the mother had not been administering the prescribed medications for the medically-fragile eldest boy, and when social workers investigated, they found her public housing residence to be in an unsanitary condition. (*T.J.*, *supra*, 21 Cal.App.5th at pp. 1232-1234, 1236.)

On paper, the reunification plan in *T.J.* looked good. Given the reason for the dependency, its components naturally included independent living skills and housing.

The plan also contained provisions for family therapy and clinically supervised visitation, in-home counseling, and anger management. (See *T.J., supra*, 21 Cal.App.5th at pp. 1243-1248.) But on review after termination of services at the 18-month review, the appellate court found only one of these components – family therapy and clinically supervised visitation – to be free of agency fault. (*Id*. at p. 1245.) In all the others, the agency's performance was the cause of the deficiency. The mother had been waitlisted for long periods on individual therapy, in-home counseling, and parenting education. And she was provided no assistance at all with in-home support services, anger management or housing. (*Id.* at p. 1233.)

On the other end of the spectrum, *T.G.* is a good exemplar. There, the dependency was occasioned by both parents' inability to care for two children because of drug abuse. (*T.G., supra*, 188 Cal.App.4th at p. 690.) As to the father, the elements of the reunification plan included substance abuse treatment, anger management, individual counseling, random drug testing, and, of course, not violating conditions of his existing parole. (*Id.* at p. 691.) Father, however, violated his parole and became incarcerated in April, right after the reunification plan was adopted. At the six-month review hearing in October, the court the court found the father's progress in alleviating the causes of placement to have been inadequate, but continued services. Nevertheless, the father appealed.[5]

On appeal, the father zeroed in on the absence of both visitation and communication with the children during his incarceration. (*T.G., supra*, 188 Cal.App.4th at p. 696.) Our colleagues in Division Two of this district noted that in the wake of the father's incarceration, social workers prepared a new case plan in late August to take the incarceration into account. (*Id.* at p. 697.) They also noted that in the pre-

[5] *T.G.* directly confronted the problem of appealability under such circumstances and concluded that the order finding services adequate was indeed appealable. (See *T.G., supra*, 188 Cal.App.4th at pp. 691-696.) That discussion dispels all doubt that an order finding services reasonable at the six-month review is indeed appealable despite the fact services are continued.

incarceration period, the father "demonstrated no interest in completing the case plan or in taking advantage of the services offered to him." (*Id.* at p. 698.) Before incarceration, for example, the father did nothing in regard to any substance abuse treatment program, failed to report for drug testing, and stopped visiting the children. (*Ibid.*)

But father's avoidance of drug abuse treatment and testing was not the most important factor in upholding the trial court's finding services had been reasonable. What the *T.G.* court thought was *most* important was the father's lack of cooperation with social workers in not keeping *them* abreast of his circumstances. In an oft-quoted passage, the *T.G.* court declared: "More importantly for our analysis, it appears Father did not keep the social worker advised of his whereabouts. While it is true the social worker is charged with maintaining reasonable contact with the parents during the course of the reunification plan, he or she cannot do so without some degree of cooperation from the parent." (*T.G.*, *supra*, 188 Cal.App.4th at p. 698.) The *T.G.* court then noted that the father did not notify social workers of his April incarceration until late July. (*Ibid.*)

Comparing the two cases, the factor that stands out is the parent's own behavior in causing – or not causing – problems with the plan's implementation. *T.J.* can thus be summed up in this wonderful characterization of an intellectually-disabled mother trying to regain custody of her three boys: "Clearly, she was trying." (*T.J.*, *supra*, 21 Cal.App.5th at p. 1250.) By contrast, the father in *T.G.* couldn't even be bothered to let social workers know when he was reincarcerated for about three months.

Turning to the case before us, Andrew does not seem to have been as unmotivated as the father in *T.G.*, but his case falls nearer the *T.G.* side of the continuum. The most obvious parallels are (1) Andrew's total failure to attempt any sort of drug rehabilitation in first eight months of reunification, even to the point of not attending any

12-step meetings[6] and (2) the many times social workers or service providers tried to reach Andrew but could not get through, either because his phone was not on, he refused to answer, or because he had changed phones or numbers.

The visitation problems in particular seem, on balance, Andrew's fault. Andrew failed to visit in the critical December 2017-2018 period when Aurora's caretakers were willing to go the extra mile and give seven hours of their time to monitor his visitation. The same may be said for the parenting class and drug treatment Morfin arranged for him. In each case those service providers tried to contact him and could not.

We need only further note that whereas Andrew's case and *T.G.* are remarkably similar, the parallels with *T.J.* are few. In *T.J.*, the appellate court went out of its way to stress that the mother had no alcohol or drug problems. (*T.J., supra*, 21 Cal.App.5th at p. 1250.) Here, Andrew's drug problem overshadowed the entire first eight-month period of reunification.

Further, in *T.J.*, the appellate court faulted social workers for their overreliance on a single service's clearinghouse known as Golden Gate Regional Center to provide the on-the-ground services that the mother needed. It turned out that the center never really did anything for her. (See *T.J., supra*, 21 Cal.App.5th at p. 1243 ["Exactly what services were provided to Mother by GGRC is hard to discern from the record."].) Here, as our detailed chronology of Priscilla Morfin's day-to-day efforts demonstrates, it was the social worker herself who tried to arrange the connections between hard-to-contact Andrew and the relevant service providers.

Another illustration why this case is not like *T.J.* is housing. In *T.J.*, social workers were content to let the parent's public housing authority take its time to make

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[6] On appeal, the trial court's order receives the benefit of all reasonable inferences from the evidence. Here, given the total absences of attendance cards, it is a reasonable inference that Andrew never really attended any 12-step meetings. Moreover, we must note that had he attended 12-step meetings and complied with the drug testing requirement, it is possible he would have learned of drug rehabilitation counselors and at the very least been more aware of the need to keep in touch with service providers like therapist Kaufman or the health care agency when they attempted to contact him.

certain repairs to elevate her residence to a better-than-unsanitary condition. Here, when social worker Morfin learned of Andrews' new-found homelessness, she immediately tried to get in touch with him to connect him to a shelter.

And in *T.J.*, when some bureaucratic roadblock was encountered, social workers were content to simply let time elapse instead of seeking out alternatives. (See *T.J.*, *supra*, 21 Cal.App.5th at p. 1243, citing *In re Alvin R.* (2003) 108 Cal.App.4th 962, 973.) Here, even during a shorter time frame (we note *T.J.* was an appeal from an *18-month* review termination), the record shows that whenever Morfin learned of some bureaucratic snafu preventing Andrew from actually getting the offered services, she pretty quickly sought alternatives. We note in particular her attempted quick shift of counseling services from the disgusted therapist Kaufman to the health care agency.

Finally, in *T.J.*, when the appellate court evaluated the overall gestalt of the service plan, the social services organization batting average was unacceptable – 1 for 6 on the plan's major components. (Or 1 for 7 depending on how you count the overreliance on the regional clearinghouse.) Here, we can only fault SSA for waiting until late March 2018 to have parenting classes immediately available for Andrew, and even then he managed to compound the delay by not being reachable.

In dependency law, reasonable services findings are not tested by a standard in which a social worker is a parent's keeper; the question is whether the services provided were "reasonable under the circumstances." (*In re Misako R.* (1991) 2 Cal.App.4th 538, 547; accord, *Robin V. v. Superior Court* (1995) 33 Cal.App.4th 1158, 1164.) Reasonable services are tested on appeal under a substantial evidence standard. (*In re Taylor J.* (2014) 223 Cal.App.4th 1446, 1448.) We have now recounted the substantial evidence that social workers reasonably responded to Andrew's lack of cooperation with them. We therefore cannot say the trial court erred in finding that reasonable services had been offered.

IV. DISPOSITION

The order made at the six-month review finding reasonable services had been provided to Andrew is affirmed. The motion to dismiss the appeal is denied.

BEDSWORTH, J.

WE CONCUR:

O'LEARY, P. J.

GOETHALS, J.